

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CHALUPOWSKI

Plaintiff(s)

v.

CIVIL ACTION NO. 04-11277-GAO

BERRY

Defendant(s)

**AMENDED JUDGMENT IN A CIVIL CASE**

O'TOOLE, D.J.



**Jury Verdict.** This action came before the court for a trial by jury. The issues have been tried and the jury has rendered its verdict.



**Decision by the Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED**

Pursuant to the United States Court of Appeals for the First Circuit **MANDATE**, dated 11/10/05, the judgment is amended as follows:

to the extent the plaintiffs seek declaratory and injunctive relief against the defendant in her individual capacity, their claims are **DISMISSED** with prejudice based on the defendant's absolute immunity from suit. Insofar as the plaintiffs' claims were brought against the defendant in her official capacity, they are **DISMISSED** without prejudice pursuant to Younger v. Harris, 401 U.S. 37 (1971)

SARAH A. THORNTON,  
CLERK OF COURT

Dated: 4/27/06

By Paul S. Lyness  
Deputy Clerk

NOTE: The post judgment interest rate effective this date is \_\_\_\_%.

(JudgementCivil.wpd - 3/7/2005)